## STATE OF ILLINOIS SECRETARY OF STATE SECURITIES DEPARTMENT

IN THE MATTER OF: FINANCIAL SERVICES MOSKOP

& ASSOCIATES, INC.,

ITS OFFICERS, DIRECTORS,

EMPLOYEES, AFFILIATES, SUCCESSORS,)

AGENTS AND ASSIGNS, AND EDWARD L. MOSKOP )File No. 1000443

## TEMPORARY ORDER OF PROHIBITION

TO THE RESPONDENTS:

Edward L. Moskop Financial Services Moskop & Associates, Inc. 125 Hickory Lake Belleville, Illinois 62223

Edward L. Moskop Financial Services Moskop & Associates, Inc. 708 S. 59<sup>th</sup> Street Belleville, Illinois 62223

Edward L. Moskop Financial Services Moskop & Associates, Inc. C/O James R. Mendillo, Esq. 115 W. Washington St. P.O. Box 546 Belleville Illinois 62222-0546

On information and belief, I, Jesse White, Secretary of State for the State of Illinois, through my designated representative, having been fully advised in the premises by the staff of the Illinois Securities Department, Office of the Secretary of State, herein find:

- 1. That Respondent, Financial Services Moskop & Associates, Inc., is a purported business entity and an Illinois corporation not currently in good standing, with a last known addresses of 708 S. 59<sup>th</sup> Street, Belleville 62223 and 125 Hickory Lake, Belleville, Illinois 62223;
- That at all times relevant, the Respondent Edward L. Moskop was president and owner of Financial Services Moskop & Associates Inc.;

- That between the years 1992 through 2007, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, represented to MK and OK, Illinois residents, that Respondent was investing the funds of MK and OK into purported fixed rate trusts and certificates of deposits ("CDs") purportedly offered by Massachusetts Financial Services Company (hereinafter "MFS") and Allianz Life Insurance Company (hereinafter "Allianz"), for a total investment of \$288,466;
- 4. That at all times relevant and up to at least October 15, 2010, Respondents made continuing representations to MK and OK through oral statements and documentation that these purported investments were in fact made and continued to exist;
- 5. That on or about October 10, 2010, MK and OK, through their daughter, requested the Respondents to liquidate their CD's which were purportedly purchased through Allianz;
- 6. That MK and OK subsequently received a letter from Respondents dated October 15, 2010, which included two checks that were purportedly from the liquidation of the purported Allianz CD's;
- 7. That upon depositing said checks into their personal account, MK and OK subsequently discovered that the aforesaid checks bounced;
- 8. That upon directly contacting Allianz through their daughter on or about September 20, 2010, MK and OK discovered that Allianz had no records of the aforesaid purported CDs and were advised that Allianz did not sell CDs as part of their business;
- 9. That upon directly contacting MFS, MK and OK were advised that MFS had no records of the aforesaid purported investments;
- 10. That Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, never invested the aforesaid funds of MK and OK into the aforesaid

purported investments as represented, but rather used said funds for personal use;

- 11. That at all times relevant, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, made a continuing representation to MK and OK through oral statements and false documentation that Respondents had made said investments;
- 12. That MK and OK were immigrants from Poland who had spent time in Nazi work camps during WWI;
- 13. That MK and OK had a business relationship with Respondents for over 30 years since they immigrated to the United States and considered Respondent Edward L. Moskop a personal friend;
- 14. That Respondents advised MK and OK that Respondents had approximately 60 clients who were "preferred clients", of which MK and OK were included, and who were offered and sold similar products;
- 15. That as of this date, Respondents have has not returned any money to MK and OK;
- 16. That each of the aforesaid fixed rate trusts and CDs is a security as that term is defined pursuant to Section 2.1. of the Illinois Securities Law of 1953 [815 ILCS 5/1 et seq.] (the "Act");
- 17. That Section 5 of the Act provides, inter alia, that all securities except those exempt under Section 3 of the Act or those offered and sold in transactions exempt under Section 4 of the Act shall be registered with the Secretary of State prior to their offer or sale in the State of Illinois;
- 18. That Section 12.A of the Act provides, inter alia, that it shall be a violation of the Act for any person to offer or sell securities except in accordance with the provisions of the Act;
- 19. That Section 12.D of the Act provides, inter alia, that it shall be a violation of the Act for any person to fail to file with the Secretary of State any document or application required to be filed under the provisions of the Act;

- 20. That Section 12.F of the Act provides, inter alia, that it shall be a violation of the Act for any person to engage in any transaction, practice or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof;
- 21. That Section 12.G of the Act provides, inter alia, that it shall be a violation of the Act for any person to obtain money or property through the sale of securities by means of any untrue statement of material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading;
- 22. That Section 12.I of the Act provides, inter alia, that it shall be a violation of the Act for any person to employ any device, scheme or artifice to defraud in connection with the sale or purchase of any security, directly or indirectly;
- 23. That at all times relevant hereto, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, failed to file an application for registration of the above-referenced securities with the Secretary of State prior to their offer or sale in the State of Illinois;
- 24. That at all times relevant hereto, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, failed to file an application for registration as a dealer or salesperson for the sales of securities in the State of Illinois;
- 25. That at all times relevant hereto, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, acted as a dealer and/or salesperson of securities while not being registered as such;
- 26. That at all times relevant, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors,

Agents and Assigns, and Edward L. Moskop, engaged in a transaction, practice or course of business in connection with the sale or purchase of securities which works or tends to work a fraud or deceit upon the purchaser or seller thereof, in that Respondents represented to MK and OK that Respondents were investing their money into MFS fixed rate trusts and Allianz CD's and made continuing representations of such through oral statements and false documentation, where in fact Respondents never made said investments, but rather used the investor's funds for Respondents' personal use and expenses;

- 27. That at all times relevant, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, obtained money or property through the sale of securities by means of any untrue statement of material fact by representing, and continuing to represent, to MK and OK that their funds were invested in MFS fixed rate trusts and Allianz CDs when in fact Respondent never invested MK and OK's funds in those products but rather used said funds for Respondents' personal use and expenses;
- 28. That at all times relevant, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, employed a device, scheme or artifice to defraud in connection with the sale or purchase of any security by using oral statements and false documents to continue to represent to MK and OK that Respondents had invested their funds into MFS fixed rate trusts and Allianz CD's when in fact Respondents never made said investments, but rather used said funds for Respondents' personal use and expenses;
- 29. That by virtue of the foregoing, Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, have violated Sections 12.A, 12.C, 12.D, 12.F, 12.G and 12.I of the Act;
- That Section 11.F.(2) of the Act provides, <u>inter alia</u>, that the Secretary of State may temporarily suspend or prohibit the offer or sale of securities by any person if the Secretary of State in his or her opinion, based

upon credible evidence, deems it necessary to prevent an imminent violation of the Act or to prevent losses to investors which the Secretary of State reasonably believes will occur as a result of a prior violation of the Act;

- 31. That based upon the foregoing, the Secretary of State deems it necessary, in order to prevent imminent and additional violations of the Act, and to prevent losses to investors as a result of the referenced prior violation of the Act, to enter an order pursuant to the authority granted under Section 11.F of the Act which prohibits Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, from offering and/or selling securities in the State of Illinois; and
- 32. That based upon the credible evidence available to the Secretary of State, the entry of this Temporary Order is in the public interest and is consistent with the purposes of the Act.

NOW THEREFORE, IT IS HEREBY ORDERED THAT: pursuant to the authority granted by Section 11.F of the Act Respondents Financial Services Moskop & Associates, Inc., by and through its Officers, Directors, Employees, Affiliates, Successors, Agents and Assigns, and Edward L. Moskop, are hereby PROHIBITED from offering and/or selling securities in or from the State of Illinois until further order of the Secretary of State.

NOTICE is hereby given that the Respondents may request a hearing on this matter by transmitting such request in writing to Securities Director, Illinois Securities Department, 300 West Jefferson, Suite 300A, Springfield, Illinois 62702. Such request must be made within thirty (30) days of the date of entry of this Temporary Order. Upon receipt of a request for hearing, a hearing will be scheduled. Request for hearing will not stop the effectiveness of this Temporary Order and will extend the effectiveness of this Temporary Order for ninety days from the date the hearing request is received by the Department.

FAILURE BY ANY RESPONDENT TO REQUEST A HEARING WITHIN THIRTY (30) DAYS AFTER ENTRY OF THIS TEMPORARY ORDER SHALL CONSTITUTE AN ADMISSION OF ANY FACTS ALLEGED HEREIN AND CONSTITUTES SUFFICIENT BASIS TO MAKE THE TEMPORARY ORDER FINAL.

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ENTERED: This 3rd day of Jecember, 201

JESSE WHITE

Secretary of State State of Illinois

Attorney for the Secretary of State:

Johan Schripsema Illinois Securities Department 350 Seright, Suite C Harrisburg, Illinois 62946 Telephone: (618) 253-2007